**TERMS OF REFERENCE**

**Consultancy services for the preparation of a**

**Diagnostic analysis on the sustainability of the Romanian agriculture**

**financed by the RAPID Project**

**Technical Specialist (Individual Consultant)**

1. Background

The Government of Romania has received a loan from the International Bank for Reconstruction and Development (IBRD) to support the implementation of the Rural Pollution Prevention and Reduction Project (RAPID Project).

RAPID Project is an initiative aimed at addressing environmental challenges in the rural areas of Romania. Focused on mitigating pollution and promoting sustainable practices, the project seeks to safeguard the country's rural landscapes, preserve natural resources, and enhance the overall well-being of local communities.

The Loan 9505-RO for the Project was ratified by Romania by the Law no. 332/2023 on November 7th 2023 and it became effective on December 13th, 2023. The Project closing date is June 30th, 2028.

The objectives of the Project are to strengthen the institutional capacity of selected public entities, monitor pollution in agriculture, and transfer knowledge on agricultural pollution reduction to participating farmers. The project consists of three components:

1. **Modernization of Public Institutions:** Enhance the institutional capacity of the Ministry of Environment, Waters, and Forests (MEWF) to monitor, evaluate, and report investments, including those related to environmental aspects of the National Recovery and Resilience Plan (NRRP). This involves increasing the national capacity for monitoring, prevention, and reduction of pollution from agricultural sources in rural areas, including the National Administration "Romanian Waters" (NARW), the National Phytosanitary Authority (NFA), and the Directorate of Land Improvements and Land Fund (DLILF) within the Ministry of Agriculture and Rural Development (MARD).
2. **Knowledge Exchange and Awareness:** Facilitate knowledge exchange, awareness, and information/innovation transfer to participating farmers. This includes establishing model farms to promote best agricultural practices for pollution prevention and reduction. The project also involves creating national knowledge transfer networks and conducting information and awareness campaigns for the public regarding project activities, including other environmentally-focused interventions funded under the NRRP.
3. **Project Management:** Ensure effective project management to oversee and coordinate the various components and activities outlined in the project.

The Project aims to create a comprehensive framework for addressing agricultural pollution in Romania, involving institutional capacity building, knowledge dissemination, and active participation of farmers in adopting sustainable practices.

As part of the efforts for developing sustainable agricultural policies, it is foreseen that the Project will support the Directorate of Land Improvements and Land Fund (DLILF) from the Ministry of Agriculture and Rural Development, with the preparation of a comprehensive diagnostic analysis on the intricate relation between environment and the Romanian agriculture. Prior to the elaboration of the diagnostic analysis, there is a need of wide-ranging screening of the obligations that Romania has at national, EU and international level, considering the existing national and EU legislation, and international obligations as set in various multi-lateral environmental agreements. The diagnostic analysis should consider for assessment several areas, such as climate change adaption and mitigation, biodiversity conservation, sustainable water management and pollution, and identify investment needs to accommodate the agricultural policies to environmental obligations.

The Ministry of Environment, Waters and Forests, as implementing institution, through the Project Management Unit for the "Prevention and Reduction of Pollution in Rural Areas Project" (PMU "RAPID") (named hereafter **The Client**) intends to use a part of the "RAPID" Project’s funds for purchasing consultancy services (Individual Consultant) for preparing the terms of references for the elaboration of a *Diagnostic analysis on the sustainability of the Romanian agriculture*.

Under the present assignment, The Ministry of Environment, Waters and Forests (MWF), through the Project Management Unit (PMU) responsible for the RAPID Project, seeks contracting specialized consultancy services of an Individual Consultant for the tasks mentioned above.

**Definitions of terms:**

The Project – represents the Rural Pollution Prevention and Reduction Project, referred to as the "RAPID" Project

MEWF – Ministry of Environment, Waters and Forests

PMU – Project Management Unit – represents the unit established within the Ministry of Environment, Waters and Forests, that manages the implementation of the Rural Pollution Prevention and Reduction Project

DLILF - Directorate of Land Improvements and Land Fund

The Contract – represents the contract to be signed with the awarded Individual Consultant

The Client – is the Ministry of Environment, Waters and Forests through the PMU for RAPID.

The Beneficiary – is the final beneficiary is the Directorate of Land Improvements and Land Fund from the Ministry of Agriculture and Rural Development

The Technical Specialist – the Individual Consultant that will be selected, based on the present Terms of Reference, for the scope of services and tasks as required herein.

1. Objectives of the assignment

The specific objective of the consultancy services is to elaborate the terms of references for the elaboration of a Diagnostic analysis on the sustainability of the Romanian agriculture.

1. Scope of the Services:

The Technical Specialist will closely coordinate his/her activity with the representatives of the DLILF.

The Technical Specialist shall elaborate terms of reference for the *Diagnostic analysis on the sustainability of the Romanian agriculture*, considering the national, EU and international obligation of Romania related to climate change adaption and mitigation, biodiversity conservation, sustainable water management and pollution, as relevant for agriculture.

The Technical Specialist will deliver:

1. Terms of references for the *Diagnostic analysis on the sustainability of the Romanian agriculture*;
2. A market analysis with costs and potential consultants for the elaboration of the *Diagnostic analysis on the sustainability of the Romanian agriculture*.

All the documents to be delivered will be submitted for the prior approval of the Beneficiary (DLILF) and PMU Contract coordinator.

The Technical Specialist will closely coordinate his/her activity with the staff members of the DLILF and PMU nominated for the related activities under the Project, throughout entire duration of the implementation of the assignment.

The RAPID PMU will ensure contract coordination.

1. Consultant’s Profile:

In order to be able to charge the Client for the activities performed under these terms of reference, the expert must be either a person authorized under the Law **no. 300/2004 regarding the authorization of individual persons and family associations to carry out independent activities or act under a limited liability company or another form of organization that enables him/her to issue invoices for the services provided. In any of the cases, the Consultant should be aware that the services will be provided only by the selected Individual Consultant and n**o substitution of any individual who was initially selected will be permitted**.**

**Services may also be provided by the selected individual consultant through a limited liability company (SRL).**

**The qualifications and experience required:**

* General experience in preparation or coordination or implementation of agricultural policies;
* Preferably, at least 5 years of experience in research or policy preparation related to agriculture;
* Experience in environmental protection is an advantage.

Having the following qualifications:

* + - Bachelor degree/Master degree in agriculture, environment protection, business administration or other relevant field or Bachelor's degree/Master's degree in other fields along with more than 5 years' proven professional and practical experience in any of the above-mentioned technical fields;
    - Good communication skills.

In the case that the Contract for this assignment shall be awarded to a company that provides an individual for this assignment, only the qualification and experience of the individual shall be evaluated, not the company’s experience. All the services/activities provided/delivered under this Assignment shall be delivered exclusively by the individual proposed by the company.

1. Duration of the work

The services under this Contract shall be provided until the end of September 2026 or any other date agreed by the parties.

The contract will include a probationary period of 30 days, after which it may be terminated through a notification issued by the Client.

The consultant is expected to commence performance of the services within maximum 10 working days after contract signing.

1. Reporting

During this assignment, the Individual Consultant shall deliver two reports which shall describe all the activities carried-out, problems met and how were addressed and recommendations, and shall include as annex:

1. The first draft of the terms of references for *Diagnostic analysis on the sustainability of the Romanian agriculture,* including a *market analysis with costs and potential consultants* (as Annex of the Report 1);
2. Thefinal version of the terms of references for *Diagnostic analysis on the sustainability of the Romanian agriculture, including a market analysis with costs and potential consultants and all the minutes, minutes of the meetings, analysis documents, emails related to the work, etc.) (as Annex of the Report 2).*

The first draft of the terms of references for *Diagnostic analysis on the sustainability of the Romanian agriculture,* including a *market analysis with costs and potential consultants is expected to be delivered in 45 working days from the commencement of the contract.*

*The final version of the* terms of references for *Diagnostic analysis on the sustainability of the Romanian agriculture,* including a *market analysis with costs and potential consultants is expected to be delivered in 15 working days from the reception of the draft report.*

The Reports shall be submitted to the authorized representative of the Client / PMU Contract Coordinator, for analysis and approval by the Acceptance Committee named by the Client.

The Reports shall be submitted in 2 original copies (one for DLILF and one for RAPID PMU), in Romanian language, signed by the Individual Consultant, together with the electronic versions (by electronic mail). The Annexes should be elaborated in English.

The Individual Consultant shall modify or complete the Reports as requested by the DLILF /Client (Contract coordinator) / Acceptance Committee, in maximum 5 working days from receiving such requests or for a longer period as agreed by the Consultant and the Client’s authorized representative, if the situation requires.

The Acceptance Committee shall decide upon the acceptance of the reports and deliverables submitted under the present assignment.

Based on the acceptance documents on the progress reports, issued by the Acceptance Committee, the Individual Consultant shall issue the invoices and the Client shall pay, according to the Contract provisions.

1. Institutional arrangements, Data, Local Services, Personnel and Facilities to be provided by the Client

The Client and the beneficiary will provide access to all relevant information, documents and stakeholders’ contact points to facilitate the implementation of the activities under this assignment.

The Technical Specialist:

* Will liaise with RAPID PMU for guidance on contract implementation, under the overall supervision of the Contract coordinator;
* Will work under the direct supervision of the DLILF (overall technical management) and Contract coordinator, guided by Director and/or the DLILF nominated staff;
* Will cooperate closely with other Ministry of Agriculture and Rural Development departments, as necessary (as requested and facilitated by the DLILF);
* Will report to the Director and/or the DLILF’s nominated staff and to the PMU for RAPID in aspects related to contract execution.

The Consultant will not at any time communicate to any person or entity any confidential information acquired in the course of the assignment.

All documentation prepared by the Consultant in the course of the assignment will remain the absolute property of the Client. The Consultant will, not later than upon termination or expiration of the contract for the current assignment, deliver all such documentation to the Client.

* The Client will not pay or reimburse the Consultant for any other costs outside of the fees agreed for in the contract.
* **The observance of the Fiscal Code provisions applicable in any of the legal forms under which the Individual Consultant will provide the services (either (a) limited liability company or another form of organization that enables him/her to issue invoices or (b) person authorized under the Law no. 300/2004) is the sole responsibility of the Consultant.**

The final Beneficiary (DLILF) and the Client shall provide to the Individual Consultant all the information necessary, concerning the purpose of this Assignment and that will be reasonably requested by the Individual Consultant in order to complete this Assignment.

The Client will provide access to all relevant information, documents and stakeholders’ contact points to facilitate the implementation of the activities under this assignment, and if needed, equipment and working capital to carry out the tasks included in these Terms of Reference, including access to the DLILF’s network resources.

For the occasional situations in which the Consultant will carry out activities at the Client's premises, the Client will provide a furnished and equipped office space at DLILF’s premises, including access to the Internet and to DLILF’s network resources.